FOR WEISBERG

Dept of Classics
QUEEN'S UNIVERSITY
KINGSTON, ONTARIO

9 April 1969

Dr. John Nichols
Kansas City

Dear John:

Thanks for your exciting information on the results of your tests. I have already begun writing in anticipation of results, for I was sure they would work out.

We must settle absolutely the question how the dents were caused. I still hold by the description that I give in my Exhibits. There is no other way, I am sure of it. There may be something wrong with your rifle or with the way you are doing it. Keep trying until you find out for sure.* I can suggest nothing except what I told you, and I shall write in accordance with that. If you find something different, I can revise.

I am sending the following things that I have written so far. None of it has been distributed, although I described the situation in a letter to Gary Schoener. If you want Schoener no keep this confidential, wire or call him, and say it is my wish. His address is: Box 392, Mayo Hospital, Univ. of Minnesota, Minneapolis, Minn., 55455. Otherwise, there are only you, Weisberg, and I who know.

Here is what I have included:

1) Letter on purple copy which I intended to send to researchers (as with my monograph on the scope-sight.) I shall hold this until I hear subsequently from you and Weisberg, and shall treat the matter confidentially until we three decide what to do.
2) Copy of the first draft of the first sections of my report on the cartridge cases. As more is written, I shall submit copies to you and Weisberg.
3) Portion of a letter to a firearms expert who works for CIL in Canada. He has given me splendid help before, and I want his advice. I include this because I don't think I mantioned this aspect to you, and it is just as important as the dents. This is the only writing I have on this matter, and it is far from complete. I can make a magnificent case against Frazier on this alone. And against Cunningham and Nicol, all in one fell swoop.

This is important: also try to get from the Archives the three cartridge cases (CEs 543,544,545) and the two cases that were uses for microscopic comparison (the two of them are

* try loading the unbulleted cartridge in the clip over several other cartridges, or put in live cartridges in the clip, then put in the unbulleted case

JE 557). Microscopic comparison of the brass bases will be important.

If you have books on firearms identification, see if you can dig up a printed reference supporting the notion that brass bases must be marked significantly by the bolt face of rifles when they fire bulleted cartridges(especially clunkers like the M-C). The revolver cartridges that Cunningham examined were marked by the breech face like kids running through snow. But I would like an authoritative reference that will smash Frazier. I have ordered stuff through interlibrary loan, but don't know whether I will get it. The best is Hatcher, Jury, and Weller, Firearms Identification, Investigation, and Evidence (1957). My firearms library deals mostly with sporting aspects, not with crime.

Information about a possible Look article is exciting. I favor working with you on this, but I must write the basic material on the dents (subject to your revision and endorsement); I have been so close to this material that we breathe the same air. My memo on the scope-sight and the beginning of the memo on the cartridge case should indicate that I can write well, and that I can treat the subject competently.

Moreover, I would like to have Weisberg in on it. He is going to do tests, also, but your results came in first. I wrote to Harold in the light of your letter (sent him a copy), and tentatively suggested the following arrangement:

Bernabei: write the basic report on the cause and significance of the dents. I will treat no other subject unless it directly bears on the dents.

Nichols: physical tests, photographs, microscopic comparisons (?), and other matters related to the physical character of the evidence.

Weisberg: write on the bearing that this material has on other matters related to the rifle ammo. (My part will look inward toward the cases dents; Harold's part will look outward from from the material I develop).

The writing of each will be subject to the endorsement of the other two; that is, nothing will be written that any of us feels he cannot live with.

I await your thoughts.

Still,

Dick

Dick Bernabei

PS Please use the nomenclature designated in my Exhibits: case, mouth, base, etc. The "rim" is the outer edge of the base.